

THE CITY OF SAN DIEGO, CALIFORNIA
MINUTES FOR REGULAR COUNCIL MEETING
OF
MONDAY, AUGUST 2, 1999
AT 2:00 P.M.
IN THE COUNCIL CHAMBERS - 12TH FLOOR

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CHRONOLOGY OF THE MEETING:

The meeting was called to order by Mayor Golding at 3:59 p.m. Mayor Golding recessed the regular meeting at 4:32 p.m. to convene the Redevelopment Agency. Mayor Golding reconvened the regular meeting at 4:37 p.m. with Council Member McCarty not present. Mayor Golding recessed the regular meeting at 4:47 p.m. to reconvene the Redevelopment Agency. Deputy Mayor Wear reconvened the regular meeting at 5:25 p.m. with Mayor Golding and Council Member McCarty not present. Deputy Mayor Wear adjourned the meeting at 5:45 p.m.

ATTENDANCE DURING THE MEETING:

- (M) Mayor Golding-present
- (1) Council Member Mathis-present
- (2) Council Member Wear-present
- (3) Council Member Kehoe-present
- (4) Council Member Stevens-present
- (5) Council Member Warden-present
- (6) Council Member Stallings-present
- (7) Council Member McCarty-excused by R-292118 (due to family reunion)
- (8) Council Member Vargas-present
- Clerk-Fishkin (pr)

FILE LOCATION: MINUTES

ITEM-1: ROLL CALL

Clerk Fishkin called the roll:

- (M) Mayor Golding-present
- (1) Council Member Mathis-present
- (2) Council Member Wear-present
- (3) Council Member Kehoe-present
- (4) Council Member Stevens-present
- (5) Council Member Warden-present
- (6) Council Member Stallings-present
- (7) Council Member McCarty-not present
- (8) Council Member Vargas-present

ITEM-10: INVOCATION

Invocation was given by Jane Senior of the Baha'i Faith Church.

ITEM-20: PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member Warden.

NON-AGENDA COMMENT:

PUBLIC COMMENT-1:

Comment by Don Stillwell regarding Federal Grants, and that he feels local government spends too much time trying to obtain them. Mr. Stillwell stated that he wanted to make people aware that grant money is taxed, and suggested that Council spend more time on reducing taxes rather than acquiring grants.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: C345-371.)

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COUNCIL COMMENT:

COUNCIL COMMENT-1:

Comment by Council Member Kehoe expressing that Saturday she was at the 39th Street Park and Adams Avenue to accept a check from Assemblywoman Susan Davis for \$1,000,000 for a series of parks along the I-15 corridor. Council Member Kehoe expressed these were the first parks built in District 3 for many years, and wished to thank Assemblywoman Susan Davis for her help in attaining the State funding for the parks.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: C373-385.)

COUNCIL COMMENT-2:

Comment by Council Member Stallings regarding this coming Saturday, August 7th in Clairemont there will be "Clairemont Days," which is the annual community wide celebration with childrens' activities, community booths, food and music, located at South Clairemont Recreation Center on Clairemont Drive from 9:00 a.m. to 5:00 p.m. Council Member Stallings stated it would be a lot of fun, and invited everyone to come and join her there.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: C385-439.)

COUNCIL COMMENT 3:

Comment by Mayor Golding wishing to express her regrets and to wish the two Wastewater Management City Employees well who were unfortunately injured the evening before in a somewhat freak accident. The employees were doing some by-pass pumping as a temporary measure on University Avenue, and the hose got caught onto the carriage of the truck dragging and knocking over the two workers.

Mayor Golding also wished to announce that the City of San Diego is one of the twenty-five finalist for a very important award; the "Innovations in American

Government Award" from Harvard University. Mayor Golding expressed it is a extremely prestigious award among government recognitions, and that we received it for the "SwimPen" field computer system that has a pen applicator, and provides information about the City infrastructure and all the networks at a touch of a pen. Mayor Golding stated that the San Diego Data Processing Corporation developed this project for the Water and Metropolitan Wastewater Departments and wished to thank DPC. Lastly, Mayor Golding stated she would keep everyone posted as to the status of the award.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: C439-444.)

ITEM-30: Assistant Chief Keith Enerson Day.

MAYOR GOLDING'S RECOMMENDATION:

Adopt the following resolution:

(R-2000-98) ADOPTED AS RESOLUTION R-292008

Proclaiming August 2, 1999, to be "Assistant Chief Keith Enerson Day" in San Diego, in recognition of his long, outstanding career and expressing appreciation for his unwavering dedication and service to our community and to the safety and welfare of our citizens.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A040-100.)

MOTION BY STALLINGS TO ADOPT. Second by Warden. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-not present, Vargas-yea, Mayor Golding-yea.

ITEM-31: San Diego National Lifesaving Competition Team Day.

DEPUTY MAYOR WEAR'S RECOMMENDATION:

Adopt the following resolution:

(R-2000-100) ADOPTED AS RESOLUTION R-292009

Proclaiming August 2, 1999, to be "San Diego National Lifesaving Competition Team Day" in San Diego, in recognition of the men and women from San Diego who will compete in Cape May, New Jersey on August 6-7, 1999.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: C444-D067.)

MOTION BY STALLINGS TO ADOPT. Second by Warden. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-not present, Vargas-yea, Mayor Golding-yea.

* ITEM-50: Facility Franchise Agreement with San Diego Landfill Systems, Inc.

(Continued from the meeting of June 29, 1999, Item 333, at Councilmember Vargas's request, in order for him to be present.)

(East Elliott Community Area. District-7.)

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinance which was introduced on 7/19/99.
(Council voted 7-2. Councilmembers McCarty and Vargas voted nay.):

(O-99-136) ADOPTED AS ORDINANCE O-18668 (New Series)

Awarding a nonexclusive solid waste facility franchise to San Diego Landfill Systems, Inc., and authorizing the City Manager to execute a franchise facility

agreement with San Diego Landfill Systems, Inc. for the Sycamore Canyon Landfill.

NOTE: 6 votes required pursuant to Section 103 of the City Charter.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: D074-188.)

CONSENT MOTION BY WEAR TO DISPENSE WITH THE READING AND ADOPT THE ORDINANCE. Second by Warden. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-not present, Vargas-nay, Mayor Golding-yea.

* ITEM-51: Adult Entertainment Businesses.

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinance which was introduced on 7/19/99. (Council voted 8-0. Mayor Golding not present.):

(O-2000-5) ADOPTED AS ORDINANCE O-18663 (New Series)

Amending Chapter III, Article 3, Division 3, of the San Diego Municipal Code by amending Section 33.0306; amending Chapter III, Article 3, Division 5, by amending Sections 33.0501 and 33.0502; amending Chapter III, Article 3, Division 36 by amending Sections 33.3606 and 33.3608, and amending Chapter X, Article 1, Division 3, by amending Section 101.0304, all relating to the Application, Denial, Suspension, Revocation, and Appeal Processes for Adult Entertainment Businesses Operating or Desiring to Operate in the City of San Diego.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: D074-188.)

CONSENT MOTION BY WEAR TO DISPENSE WITH THE READING AND ADOPT THE ORDINANCE. Second by Warden. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-not present, Vargas-yea, Mayor Golding-yea.

- * ITEM-52: Two actions related to Amendments to the San Diego Municipal Code relating to the Southeast San Diego Planned District Applicable Regulations.

(Southeastern San Diego Community Area. District-4.)

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinances in Subitems A and B which were introduced on 7/19/99.
(Council voted 8-0. Mayor Golding not present.):

Subitem-A: (O-99-85) ADOPTED AS ORDINANCE O-18669 (New Series)

Amending Chapter X, Article 3, Division 17, of the San Diego Municipal Code by amending Section 103.1703 (Current Language) relating to the Southeast San Diego Planned District Applicable Regulations.

Subitem-B: (O-99-86) ADOPTED AS ORDINANCE O-18670 (New Series)

Amending Chapter X, Article 3, Division 17, of the San Diego Municipal Code by amending Section 103.1703 (as amended by Ordinance O-18494, adopted April 7, 1998, per the Zoning Code update) relating to the Southeast San Diego Planned District Applicable Regulations.

FILE LOCATION: SUBITEMS A & B: MEET

COUNCIL ACTION: (Tape location: D074-188.)

CONSENT MOTION BY WEAR TO DISPENSE WITH THE READING AND ADOPT THE ORDINANCES. Second by Warden. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-not present, Vargas-yea, Mayor Golding-yea.

- * ITEM-53: Office Space Lease Amendment - City Attorney's Office.

(Centre City Community Area. District-2.)

CITY MANAGER'S RECOMMENDATION:

Introduce the following ordinance:

(O-2000-6) INTRODUCED, TO BE ADOPTED SEPTEMBER 14, 1999

Introduction of an Ordinance authorizing the City Manager to execute a third lease amendment to the master lease with Pacific Southwest Realty Company for leasing additional square feet in the Civic Center Plaza Building.

NOTE: 6 votes required pursuant to Section 99 of the City Charter.

CITY MANAGER SUPPORTING INFORMATION:

The City Attorney's staff, currently located on various floors in the Civic Center Plaza Building, has over the last three years expanded beyond current capacity. Recently, additional square footage became available on the 15th Floor of the building. The City Attorney's Office is proposing to lease the additional space under the following basic terms:

TERM - Approximately 15 years. Lease Amendment will be effective October 1, 1999 and will terminate on July 23, 2014, the expiration date of the Master Lease.

RENT - \$1.35 per square foot or \$16,526.70 per month.

USE - General office usage for the City Attorney's Litigation Team.

SIZE - 12,242 square feet.

TENANT IMPROVEMENTS - Landlord will provide a Tenant Improvement Allowance of \$233,726. In addition, landlord will provide a space plan allowance of \$5,151. City will pay \$8,500 for furniture and moving costs.

Aud. Cert. 2000083.

FILE LOCATION: NONE

COUNCIL ACTION: (Tape location: D074-188.)

CONSENT MOTION BY WEAR TO INTRODUCE. Second by Warden. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-not present, Vargas-yea, Mayor Golding-yea.

- * ITEM-100: Re-Advertising for Bids for the Construction of Sewer and Water Group Job 605.

(Mid-City Community Area. District-3.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2000-44) ADOPTED AS RESOLUTION R-292010

Rejecting all bids received on or about June 2, 1999, pursuant to publication of notice calling for bids on Sewer and Water Group Job 605;

Approving the amended specifications for the furnishing of all labor, material, tools, equipment, transportation and other expense necessary or incidental for Sewer and Water Group Job 605;

Inviting bids for the construction of Sewer and Water Group Job 605;

Authorizing the City Manager to establish funding phases and execute a contract with the lowest responsible and reliable bidder, for Sewer and Water Group Job 605, provided that the City Auditor first furnishes a certificate demonstrating that funds necessary for expenditure are, or will be, on deposit with the City Treasurer;

Authorizing the transfer of \$258,005 from Sewer Fund 41506, CIP-46-215.0, Annual Allocation- Infrastructure Upgrade and Replacement to Sewer Fund 41506, CIP-44-001.0, Annual Allocation-Sewer Main Replacement for the construction of Sewer and Water Group Job 605;

Authorizing the additional expenditure of \$258,005 from Sewer Fund 41506, CIP-44-001.0, Annual Allocation - Sewer Main Replacement and \$55,180 from Water Fund 41500, CIP-73-083.0, Annual Allocation - Water Main Replacement, provided that the City Auditor first furnishes a certificate certifying that the funds are, or will be, on deposit with the City Treasurer;

Authorizing the Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves.
(BID-K92238CA)

CITY MANAGER SUPPORTING INFORMATION:

Sewer and Water Group 605, will replace approximately 6,028 linear feet of sewer and 2,022 linear feet of water mains located in the Mid City area in the alley-ways between Chamoune Avenue and 47th Street on the east and west, Polk Avenue and Landis Street on the north and south. The existing facilities were 75 years old, experienced many breaks and were, therefore, in the need of replacement. Subsequent to the bid opening of June 1, 1999, for Sewer and Water Group 605, it was determined that there was only one bidder, Southern California Underground, Inc., and their bid was approximately \$400,000 above the original engineer's estimate. For re-advertising, the engineer's estimate was re-evaluated. It is anticipated that lower bid prices may be received by re-advertising this project.

Aud. Cert. 2000073.

WWF-99-404.

FILE LOCATION: CONT - Southern Calif. Underground Contractors; W.O.
172051/181581

COUNCIL ACTION: (Tape location: D074-188.)

CONSENT MOTION BY WEAR TO ADOPT. Second by Warden. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-not present, Vargas-yea, Mayor Golding-yea.

* ITEM-101: Additional Expenditure and Construction Contract Award - Sewer Group 636.

(Greater North Park Community Area. District-3.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2000-45) ADOPTED AS RESOLUTION R-292011

Accepting the low base bid and awarding a contract to Southern California Underground, Inc. for the Construction of Sewer Group 636, in the amount not to exceed \$2,014,575;

Authorizing the transfer of \$300,153.75 from Sewer Fund 41506, CIP-46-215.0, Annual Allocation, Infrastructure Upgrade and Replacement, to Sewer Fund

41506, CIP-44-001.0, Annual Allocation, Sewer Main Replacement for the Construction of Sewer Group 636;

Authorizing the additional expenditure, not to exceed \$300,153.75 from Sewer Fund 41506, CIP-44-001.0, Annual Allocation, Sewer Main Replacement for the project and related costs;

Authorizing the City Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves. (BID-K99226C)

CITY MANAGER SUPPORTING INFORMATION:

On May 18, 1999, the City Council approved the plans and specifications, and authorized the City Manager to execute a contract for construction of Sewer Group 636 with the lowest responsible and reliable bidder. The project was advertised on May 6, 1999, and seven (7) bid packages were issued to prospective bidders. On June 2, 1999, three (3) bid packages were opened. The lowest acceptable bid was received from Southern California Underground, Inc. for \$2,014,575, which was \$271,575 or 15.58 percent over the engineer's estimate of \$1,743,000. As a result of the large number of projects being advertised recently, the bid prices received were higher than originally estimated. However, due to the large amount of construction activity throughout the region, it is anticipated that re-advertisement of the contract would not result in lower prices and could jeopardize the overall mandated completion schedule for sewer replacements.

Aud. Cert. 2000092.

WWF-99-400.

FILE LOCATION: CONT-Southern California Underground, Inc.

COUNCIL ACTION: (Tape location: D074-188.)

CONSENT MOTION BY WEAR TO ADOPT. Second by Warden. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-not present, Vargas-yea, Mayor Golding-yea.

* ITEM-102: Contract Award and Additional Funding - Sewer and Water Group 615.

(Balboa Park Community Area. District-3.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2000-42) ADOPTED AS RESOLUTION R-292012

Accepting the low base bid and awarding a contract to California Southwest Construction, Inc. for the Construction of Sewer and Water Group 615, in the amount not to exceed \$2,340,174.50, which includes the base bid and Alternate A, which is \$452,797.50 (24 percent) above the Engineer's original estimate of \$1,887,377;

Authorizing the transfer of \$502,487.45 from Sewer Fund 41506, CIP-46-215.0, Annual Allocation, Infrastructure Upgrade and Replacement to Sewer Fund 41506, CIP-44-001.0, Annual Allocation, Sewer Main Replacement for the Construction of Sewer and Water Group 615;

Authorizing the additional expenditure, not to exceed \$502,487.45 from Sewer Fund 41506, CIP-44-001.0, Annual Allocation, Sewer Main Replacement and \$142,948.78 from Water Fund 41500, CIP-73-083.0, Annual Allocation, Water Main Replacement for the project and related costs;

Authorizing the City Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves;

Authorizing the use of City Forces to perform highlining and connections at night for an additional cost not to exceed \$40,000, for a new total of \$180,793. (BID-K99233C)

CITY MANAGER SUPPORTING INFORMATION:

On May 18, 1999, pursuant to Resolution R-291624, the City Council approved the plans and specifications, and authorized the City Manager to execute a contract for construction of the Sewer and Water Group 615 with the lowest responsible bidder. The project was advertised on May 6, 1999, and sixteen (16) bid packages were issued to prospective bidders. On June 10, 1999, five (5) bid packages were opened. The lowest acceptable bid was received from

California Southwest Construction, Inc. of \$2,340,174.50, which was \$472,797.50 over the engineer's estimate of \$1,887,377. As a result of the large number of projects being advertised recently, the bid prices received were higher than originally estimated. This is primarily due to the incorporation of the bid alternate for additional night work as requested by the Park & Recreation Department. However, due to the large amount of construction activity throughout the region, it is anticipated that re-advertisement of the contract would not result in lower prices and could

jeopardize the overall mandated completion schedule for sewer replacements. In addition, the use of additional night work resulted in an increased cost for City Forces work.

Aud. Cert. 2000076.

WWF-99-402.

FILE LOCATION: CONT-California Southwest Construction, Inc.

COUNCIL ACTION: (Tape location: D074-188.)

CONSENT MOTION BY WEAR TO ADOPT. Second by Warden. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-not present, Vargas-yea, Mayor Golding-yea.

* ITEM-103: Authorizing Additional Expenditure and Construction Contract Award - Sewer Group 641.

(La Jolla Community Area. District-1.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2000-43) ADOPTED AS RESOLUTION R-292013

Accepting the low base bid and awarding a contract to BRH-Garver, Inc. for the construction of Sewer Group 641, in the amount not to exceed \$2,863,475;

Authorizing the transfer of \$648,993.75 from Sewer Fund 41506, CIP-46-215.0, Annual Allocation, Infrastructure Upgrade and Replacement to Sewer Fund

41506, CIP-44-001.0, Annual Allocation, Sewer Main Replacement, for the construction of Sewer Group 641;

Authorizing the additional expenditure, not to exceed \$648,993.75 from Sewer Fund 41506, CIP-44-001.0, Annual Allocation, Sewer Main Replacement, for the project and related costs, provided that the City Auditor first furnishes a certificate certifying that funds are, or will be, on deposit with the City Treasurer;

Authorizing the City Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves. (BID-K99230C)

CITY MANAGER SUPPORTING INFORMATION:

On May 18, 1999, the City Council approved the plans and specifications and authorized the City Manager to execute a contract for construction of Sewer Group 641 with the lowest responsible and reliable bidder (R-291630). The project was advertised on May 6, 1999, and fourteen (14) bid packages were issued to prospective bidders. On June 4, 1999, six (6) bid packages were opened. The bids from Pacific Alliance and Southern California Underground were rejected as incomplete. The lowest of the four (4) remaining bids received was from BRH-Garver for \$2,863,475, which was \$547,375 over the engineer's estimate of \$2,316,100. As a result of the large number of projects being advertised recently, the bid prices received were higher than originally estimated. However, due to the large amount of construction activity throughout the region, it is anticipated that re-advertisement of the contract would not result in lower prices and could jeopardize the overall mandated completion schedule for sewer replacements.

Aud. Cert. 2000074.

WWF-99-405.

FILE LOCATION: CONT-BRH-Garver, Inc.

COUNCIL ACTION: (Tape location: D074-188.)

CONSENT MOTION BY WEAR TO ADOPT. Second by Warden. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-not present, Vargas-yea, Mayor Golding-yea.

* ITEM-104: Two actions related to the Final Subdivision Map of Carmel Village.

(Carmel Valley Community Area. District-1.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-2000-103) ADOPTED AS RESOLUTION R-292014

Authorizing the City Manager to execute a Subdivision Improvement Agreement with K. Hovnanian for the installation and completion of public improvements.

Subitem-B: (R-2000-102) ADOPTED AS RESOLUTION R-292015

Approving the final map.

CITY MANAGER SUPPORTING INFORMATION:

This map proposes the subdivision of 6.718 acres into 59 lots for residential development. It is located east of Carmel Country Road in the Carmel Valley Community Plan area. On December 8, 1998, the City Council of the City of San Diego approved Tentative Map TM-967824 by Resolution No. R-291084. The City Engineer has approved the final map and states that all conditions of the Tentative Map have been satisfied. City Council action is required to give final approval of all final maps and agreements. The public improvements required for this subdivision are shown in detail on Drawing Nos. 29789-1-D through 29789-33-D, filed in the Office of the City Clerk under Micro Number 140.05. All improvements are to be completed within two years. The Engineer's estimate for the cost of public improvements is \$1,043,214 and a Performance Bond in that amount has been provided as surety. A cash bond in the amount of \$6,880, as determined by the surveyor's estimate, has been posted as surety for the setting of survey monuments. This subdivision is located in the Carmel Valley Facilities Benefit Assessment (FBA) District, which provides for the payment of FBA (including parks), at the time of building permit issuance.

This community may be subject to impact fees, as established by the City Council, at the time of issuance of building permits. Development on any property within this map shall pay the fees as set by the City Council and in effect in the community at the time of building permit issuance. Fees will be paid at the time the building permit is issued. Subdivider, by letter, has given assurance to the City of San Diego that he/she subscribes to the Affirmative Marketing Program as shown in the "Memorandum of Understanding between the San Diego Building Industry Association and U.S. Department of Housing and Urban Development".

FILE LOCATION: SUBITEMS A & B: SUBD - Carmel Village (40)

COUNCIL ACTION: (Tape location: D074-188.)

CONSENT MOTION BY WEAR TO ADOPT. Second by Warden. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-not present, Vargas-yea, Mayor Golding-yea.

* ITEM-105: Two actions related to the Final Subdivision Map of Torrey Hills Unit No. 11.

(Sorrento Hills Community Area. District-1.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-2000-144) ADOPTED AS RESOLUTION R-292016

Authorizing a Subdivision Improvement Agreement with Torrey Hills Development I, L.L.C., for the installation and completion of public improvements.

Subitem-B: (R-2000-143) ADOPTED AS RESOLUTION R-292017

Approving the final map.

CITY MANAGER SUPPORTING INFORMATION:

This map proposes the subdivision of a 22.246 acre site into 114 lots for residential development. It is located north of Carmel Mountain Road in the Sorrento Hills Community Plan Area. On March 17, 1997, the Council of the City of San Diego approved Vesting Tentative Map VTM-95-0554, Torrey Hills by Resolution No. R-288438 for Torrey Hills Units No. 11 Subdivision. The City Engineer has approved the final map and states that all conditions of the Tentative Map have been satisfied. The public improvements required for this subdivision are shown in detail on Drawing Nos. 29523-1-D through 29523-10-D, filed in the Office of the City Clerk under Micro Number 140.06. All improvements are to be completed within two years.

The Engineer's estimate for the cost of public improvements is \$1,483,349.73 and a Performance Bond in that amount has been provided as surety. A cash bond in the amount of \$18,000, as determined by the surveyor's estimate, has been posted as surety for the setting of survey monuments. This subdivision is located in the Sorrento Hills Community Area. This subdivision has a development agreement which provides for the payment of public facilities. This community may be subject to impact fees, as established by the City Council, at the time of issuance of building permits. Development on any property within this map shall pay the fees as set by the City Council and in effect in the community at the time of building permit issuance. Fees will be paid at the time the building permit is issued. Subdivider, by letter, has given assurance to the

City of San Diego that they subscribe to the Affirmative Marketing Program as shown in the "Memorandum of Understanding between the San Diego Building Industry Association and U.S. Department of Housing and Urban Development."

FILE LOCATION: SUBITEMS A & B: SUBD-Torrey Hills (40)

COUNCIL ACTION: (Tape location: D074-188.)

CONSENT MOTION BY WEAR TO ADOPT. Second by Warden. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-not present, Vargas-yea, Mayor Golding-yea.

* ITEM-106: Easement Abandonments - Parcels 2 and 3 of Parcel Map PM-18099.

(Rancho Peñasquitos Community Area. District-1.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2000-134) ADOPTED AS RESOLUTION R-292018

Vacating the sewer, water, drainage and general utility easements located within the Rancho Peñasquitos area.

CITY MANAGER SUPPORTING INFORMATION:

City Council action is requested to vacate obsolete sewer, water, drainage and general utility

easements on this site where redevelopment of existing commercial/retail is taking place. The development is located southeast of Carmel Mountain Road and west I-15 in the Rancho Peñasquitos Community Area. The easement abandonments are shown on Engineering Drawing No. 29503-2-D. New easements have been granted in different locations as shown on Engineering Drawing No. 29503-1-D. The easements to be vacated were acquired at no cost to the City. Staff recommends approval.

FILE LOCATION: DEED F-7563

COUNCIL ACTION: (Tape location: D074-188.)

CONSENT MOTION BY WEAR TO ADOPT. Second by Warden. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-not present, Vargas-yea, Mayor Golding-yea.

* ITEM-107: Four actions related to Street Dedication and Access Easement Abandonment - North Torrey Pines Road.

(Torrey Pines Community Area. District-1.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-2000-135) ADOPTED AS RESOLUTION R-292019

Vacating the access easement in a portion of Parcel 3 of Parcel Map PM-13341 located in the Torrey Pines area.

Subitem-B: (R-2000-136) ADOPTED AS RESOLUTION R-292020

Approving the acceptance by the City Manager of a grant deed of The Burnham Institute, granting to the City the easement in a portion of Parcel 2 of Parcel Map PM-17077 for public street purposes, and dedicating and naming the street North Torrey Pines Road.

Subitem-C: (R-2000-138) ADOPTED AS RESOLUTION R-292021

Authorizing the City Manager to execute a Joint Use Agreement with Pacific Bell, in connection with street dedication of North Torrey Pines Road located in the Torrey Pines area.

Subitem-D: (R-2000-137) ADOPTED AS RESOLUTION R-292022

Authorizing the City Manager to execute a Joint Use Agreement with San Diego Gas & Electric, in connection with street dedication of North Torrey Pines Road, located in the Torrey Pines area.

CITY MANAGER SUPPORTING INFORMATION:

City Council is asked to vacate an unneeded access easement in a portion of Parcel 3 of Parcel Map PM-13341 as shown on Drawing No. 18785-B. The site is located east of Torrey Pines Road in the Torrey Pines Community Area. The existing access easement was acquired to obtain ingress to an existing water line easement. An alternate access to maintain City facilities is shown on Engineering Drawing No. 18792-1-D. The easement to be vacated is no longer needed and it was acquired at no cost to the City. This requested action also accepts the dedication of 0.077 acres of land in a portion of Parcel 2 of Parcel Map PM-17077 as shown on Drawing No. 18784-B. The street dedication is located on the east side of North Torrey Pines Road and is necessary for a deceleration lane into a driveway. The dedication is a requirement for a building permit. Staff recommends approval of these items.

FILE LOCATION: SUBITEMS A, B, C, & D: DEED F-7564

COUNCIL ACTION: (Tape location: D074-188.)

CONSENT MOTION BY WEAR TO ADOPT. Second by Warden. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-not present, Vargas-yea, Mayor Golding-yea.

* ITEM-108: Vacating a Portion of 33rd Street and Unnamed Alleys.

(South East Community Plan Area (Memorial). District-8.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2000-24) ADOPTED AS RESOLUTION R-292023

Resolution summarily vacating a portion of 33rd Street of Webster Avenue and Alleys within Map 426;

Directing the City Clerk to certify a copy of this resolution to be recorded in the office of the County Recorder upon adoption.

CITY MANAGER SUPPORTING INFORMATION:

The vacation of a portion of 33rd street and associated alleys has been requested by the adjoining property owner to complete construction financing and facilitate construction of 40 two and three bedroom affordable apartments. The property of this development is adjacent to 33rd street and contains the subject alleys. 33rd street has excess right-of-way which will be re-constructed with new curbs, gutter, walk, and apartment entrances. The undeveloped alleys will be eliminated as part of the site plan.

On September 10, 1998, the Planning Commission voted 14-0-1 to recommend conditional support of the project - Vista Verde Apartments SED & RPO Permit No. 98-0221.

FINDINGS: Staff review has indicated that the right-of-way may be vacated because the four required findings for vacation can be made: 1. That there is no prospective use for the right-of-way, either for the facility for which it was originally acquired for any other public use of a like nature that can be anticipated. 2. That the Public will benefit from the action through improved utilization of land made possible by the street vacation. 3. That the vacation is not inconsistent with the General Plan, an approved Community Plan, or the Local Coastal Program. 4. That the facility for which the right-of-way was originally acquired will not be detrimentally affected by the street vacation.

NOTE: Environmental Impact Report No. LDR 98-0221 was reviewed August 27, 1998, and adopted September 10, 1998 by Resolution No.2691-PC.

FILE LOCATION: STRT-J-2901 (39)

COUNCIL ACTION: (Tape location: D074-188.)

CONSENT MOTION BY WEAR TO ADOPT. Second by Warden. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-not present, Vargas-yea, Mayor Golding-yea.

* ITEM-109: Right-Of-Way Acquisition and Construction of Sewer Laterals along Manning Way.

(Otay Mesa-Nestor Community Area. District-8.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-99-1495 Cor. Copy) ADOPTED AS RESOLUTION R-292024

Approving the acceptance by the City Manager of public street easement deeds of Alvey P. Sherman and Loreta Sherman; Rodger M. Carruth and Sonya A. Carruth; James O. Cooper and Eloise L. Cooper; Leticia Valdez, Felipe Valdez, and Alberto Valdez, granting to the City public street easements dedicated as and for a public street and naming Manning Way between Elm and Palm Avenues on the east side of Manning Way at 745, 751, 777, 779, and 781 Manning Way for future street widening;

Authorizing the construction of sewer laterals at 745, 751, 777, 779, and 781 Manning Way after acceptance by the City Manager of the public street easement deeds;

Authorizing the City Auditor and Comptroller to expend an amount not to exceed \$75,000 from Fund No. 30244, Department No. 30244, and Job Order No. 170119;

Authorizing the City Auditor and Comptroller to reprogram the remainder of the funding back to CIP Fund 30244, Department 30244, Job Order No. 580010.

CITY MANAGER SUPPORTING INFORMATION:

Manning Way, a two lane local street, does not have adequate right-of-way in a portion of the street adjacent to the following addresses: 745, 751, 777, 779, and 781 Manning Way. The paved street adjacent to these addresses lies on undedicated, private property. These adjacent properties are fully developed and the City is not in a position of acquiring the right-of-way through any land development entitlement process. The property across Manning Way from these residences has recently been subdivided and developed. The lack of full width dedication was discovered during the subdivision process. It was also discovered that the residences at the above addresses continue to sewer to septic systems. The City has requested that the property owners of the above mentioned properties grant a 28-foot-wide right-of-way to the City. The property owners have agreed to grant the required right-of-way in exchange for the City paying the fees for one (1) Equivalent Dwelling Unit (EDU) sewer capacity charge and construction of one sewer lateral up to the property line for each respective single-family residence. The City's Metropolitan Wastewater Department will perform the sewer laterals construction. Additionally, the value of the 28-foot right-of-way exchange offsets the cost of the sewer laterals. The total cost for this project is estimated to be \$75,000 and the funds are available from CIP-58-001.0,

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Department 30244, Fund 30244, Job Order No. 170119. This action will allow the \$75,000 to be used for construction and related costs for this project. The City Manager therefore recommends adoption of this action and resolution.

Aud. Cert. 9901286.

FILE LOCATION: DEED F-7565

COUNCIL ACTION: (Tape location: D074-188.)

CONSENT MOTION BY WEAR TO ADOPT. Second by Warden. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-not present, Vargas-yea, Mayor Golding-yea.

*ITEM-110: CCDC Area 2, Phase 1 (9th Avenue to 10th Avenue & Ash Street to A Street) (10th Avenue to 17th Street & C Street to F Street) Underground Utility District.
(Centre City Community Area. District-2.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2000-91) ADOPTED AS RESOLUTION R-292025

Designating October 15, 1999 as the date upon which all property in the CCDC Area 2, Phase 1 (9th Avenue to 10th Avenue & Ash Street to A Street) (10th Avenue to 17th Street & C Street to F Street), Underground Utility District must be ready to receive underground service and January 28, 2000 as the date for the removal of all overhead utility facilities;

Authorizing the City Auditor and Comptroller to open Fund 78111 for the purpose of depositing Public Utilities Commission Case 8209 Utility Undergrounding Allocation Funds for the CCDC Area 2, Phase 1 (9th Avenue to 10th Avenue & Ash Street to A Street) (10th Avenue to 17th Street & C Street to F Street) Underground Utility District;

Authorizing the City Treasurer to receive these funds from the San Diego Gas & Electric Company;

Authorizing payment to all property owners in the CCDC Area 2, Phase 1 (9th Avenue to 10th Avenue & Ash Street to A Street) (10th Avenue to 17th Street & C Street to F Street) Underground Utility District as reimbursement for electrical service underground conversion work done on private property;

Authorizing the City Treasurer to return to SDG&E any undisbursed funds upon written notice from SDG&E to the City that all electrical service conversions within this particular district have been completed;

Authorizing the expenditure of an amount not to exceed \$66,000 from TransNet Fund No. 30300, CIP-37-028.0, to replace existing street lights in CCDC Area 2, Phase 1 (9th Avenue to 10th Avenue & Ash Street to A Street) (10th Avenue to 17th Street & C Street to F Street) Underground Utility District.

CITY MANAGER SUPPORTING INFORMATION:

The CCDC Area 2, Phase 1 (9th Avenue to 10th Avenue & Ash Street to A Street) (10th Avenue to 17th Street & C Street to F Street) Underground Utility District was created by the City Council on September 15, 1998. The resolution creating the district left the matter of the actual dates for converting services and removing overhead facilities to be established later. This action will set October 15, 1999 as the Customer Ready Date, which will require that upon this date, all affected customers within the underground utility district must have their services prepared to receive service from the new underground system. This action will also establish January 28, 2000 as the Pole Removal Date, which will require that upon this date, all overhead facilities within the underground utility district must be removed. The utility companies concur with these proposed dates. Council Policy 800-2 provides for the use of California Public Utilities Commission Case 8209 funds to assist in financing the conversion of private electric service laterals in all underground utility districts. Funding consists of a lump-sum reimbursement based upon the length of the electrical service trench for electrical and conduit up to a maximum \$1,800 per electric service lateral. In most cases, the reimbursement is sufficient to cover the entire cost for the trenching. Reimbursement does not include the cost of modifications to the electrical service box which typically ranges from \$300 to \$1,500.

FILE LOCATION: STRT-K-252 (38)

COUNCIL ACTION: (Tape location: D074-188.)

CONSENT MOTION BY WEAR TO ADOPT. Second by Warden. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-not present, Vargas-yea, Mayor Golding-yea.

- * ITEM-111: One-Way Operation on Rushville Street between Draper Avenue and Eads Avenue.

(La Jolla Community Area. District-1.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2000-3) ADOPTED AS RESOLUTION R-292026

Declaring Rushville Street, between Draper Avenue and Eads Avenue to be one-way eastbound;

Authorizing the installation of the necessary signs and markings; the regulations imposed shall become effective upon the installation of such signs.

CITY MANAGER SUPPORTING INFORMATION:

This action converts Rushville Street to one-way eastbound operation between Draper Avenue and Eads Avenue. Council approval is required, according to Municipal Code Section 82.19. A petition representing 12 of 15 affected properties, representing 82.4 percent of the adjacent frontage, was submitted supporting this action. The La Jolla Community Planning Association supports this action.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: D074-188.)

CONSENT MOTION BY WEAR TO ADOPT. Second by Warden. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-not present, Vargas-yea, Mayor Golding-yea.

- ITEM-112: Amending the 1999 Legislative Calendar for Meetings of the San Diego City Council and Standing Committees, by convening the Special Council Meeting of September 13, 1999; canceling the regularly scheduled Council Meeting and the Rules Committee Meeting set for September 13, 1999.

MAYOR GOLDING'S RECOMMENDATION:

Adopt the following resolution:

(R-2000-151) ADOPTED AS RESOLUTION R-292027

Amending the schedule of meetings for the City Council and Standing Committees of the City Council for the period of January 1, 1999 through December 31, 1999 by:

1. Adding a Special City Council Meeting on Monday, September 13, 1999 at 10:00 a.m. in the City Council Chambers, 202 C Street, San Diego, CA, for the sole purpose of conducting a Special Workshop on Alternatives for Adding Air Transportation Capacity to San Diego, and take action as appropriate on the proposed Lindbergh Field Master Plan, as presented by the San Diego Unified Port District at the August 2, 1999 Council Meeting;
2. Canceling the regularly scheduled Council Meeting of Monday, September 13, 1999, at 6:00 p.m., and combining it with the meeting scheduled for Tuesday, September 14, 1999, convening at 10:00 a.m., in the City Council Chambers, 202 C Street, San Diego, CA;
3. Canceling the regularly scheduled meeting of the Committee on Rules, Finance and Intergovernmental Relations set for Monday, September 13, 1999, at 2:00 p.m., and rescheduling for a later date.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: E439-454.)

MOTION BY WARDEN TO ADOPT. Second by Stallings. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-not present, Vargas-yea, Mayor Golding-not present.

* ITEM-113: Three actions related to Authorizing Suggestion Awards to City Employees.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-2000-145) ADOPTED AS RESOLUTION R-292028

Jean Hughes - Library - \$90.

Subitem-B: (R-2000-146) ADOPTED AS RESOLUTION R-292029

Dennis L. Smith - Metropolitan Wastewater Department - \$160.

Subitem-C: (R-2000-147) ADOPTED AS RESOLUTION R-292030

Dennis Boisvert - Metropolitan Wastewater Department - \$3,300.

FILE LOCATION: SUBITEMS A, B, & C: MEET

COUNCIL ACTION: (Tape location: D074-188.)

CONSENT MOTION BY WEAR TO ADOPT. Second by Warden. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-not present, Vargas-yea, Mayor Golding-yea.

* ITEM-114: Agreement with Earth Tech for Consulting Engineering Services.

(Torrey Pines & University Community Areas. District-1.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2000-86) ADOPTED AS RESOLUTION R-292031

Authorizing the City Manager to execute an agreement with Earth Tech for the design of Sorrento Valley Trunk Sewer;

Authorizing the City Auditor and Comptroller to transfer an amount not to exceed \$100,000 from Sewer Fund 41506, CIP-46-206.0, Annual Allocation Emergency Construction, to Sewer Fund 41506, CIP-46-197.0, Sorrento Valley Trunk Sewer;

Authorizing the expenditure of an amount not to exceed \$400,000 from Sewer Fund 41506, CIP-46-197.0, Sorrento Valley Trunk Sewer, for providing funds for the project, provided that the City Auditor first furnishes a certificate certifying that funds are, or will be, on deposit in the City Treasury.

CITY MANAGER SUPPORTING INFORMATION:

The Sorrento Valley Trunk Sewer is located in the Sorrento Hills community area, between Sewer Pump Station 64 and Sewer Pump Station 65. It consists of 11,000 linear feet of 18-inch, 15-inch, and 12-inch vitrified clay sewer main. Due to the deteriorated condition of the existing trunk sewer and history of spills in the Peñasquitos Lagoon, the replacement project will relocate the existing pipes outside of the Lagoon. A list of eight (8) consultants were provided by the City's Consultant Coordinator. The firms were interviewed in accordance with Council Policy 300-7, and Earth Tech was selected. Each Tech's scope of work will include an alternative evaluation study, preparation of the construction plans, specifications, and cost estimate for construction of the new Sorrento Valley Trunk Sewer System.

Aud. Cert. 2000049.

WWF-99-387.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: D074-188.)

CONSENT MOTION BY WEAR TO ADOPT. Second by Warden. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-not present, Vargas-yea, Mayor Golding-yea.

* ITEM-115: Agreement with P & D Consultants Inc. for Belt Street Trunk Sewer.

(Barrio Logan Community Area. District-8.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2000-131) ADOPTED AS RESOLUTION R-292032

Authorizing the City Manager to execute an Agreement with P & D Consultants for engineering consultant services for the Belt Street Trunk Sewer Project;

Authorizing the City Auditor and Comptroller to transfer an amount not to exceed \$181,912 from Sewer Fund 41506, CIP-46-111.0, Rose Canyon Trunk Sewer, and \$84,606 from Sewer Fund 41506, CIP-46-206.0, Annual Allocation - Emergency Construction, to Sewer Fund 41506, CIP-46-195.0, Belt Street Trunk Sewer;

Authorizing the expenditure of an amount not to exceed \$366,518 from Sewer Fund 41506, CIP-46-195.0, Belt Street Trunk Sewer, for providing funds for the design of Belt Street Trunk Sewer, provided that the City Auditor first furnishes a certificate certifying that funds are, or will be, on deposit with the City Treasurer;

Authorizing the City Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves.

CITY MANAGER SUPPORTING INFORMATION:

The Belt Street Trunk Sewer is located in the Barrio Logan Community area, between the NutraSweet Kelco Plant near the Coronado Bridge to the west, and the National Steel and Shipbuilding Company Shipyard near Harbor Drive to the east. It consists of two parallel trunk sewers, a 21 inch and 15 inch vitrified clay pipe. The 21 inch trunk sewer has been classified as critical due to several surcharging events, and needs to be upgraded. A list of five (5) design consultants was provided from the City's Consultant Services Coordinator. In conformance with Council Policy 300-7, the five (5) firms were interviewed. P&D Consultants, Inc. was selected as the best qualified firm to provide the design consultant services. The selected consultant will provide design services for upgrade of Belt Street Trunk Sewer to meet existing and future capacity needs of the area.

Aud. Cert. 2000064.

WWF-99-383.

FILE LOCATION:

MEET

COUNCIL ACTION: (Tape location: D074-188.)

CONSENT MOTION BY WEAR TO ADOPT. Second by Warden. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-not present, Vargas-yea, Mayor Golding-yea.

* ITEM-116: Agreement with Dudek and Associates for Engineering Design Services.

(La Jolla and Mission Bay Park Community Areas. Districts-1 and 2.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2000-130) ADOPTED AS RESOLUTION R-292033

Authorizing a consultant contract with Dudek and Associates for the design of Sewer Pump Stations No. 21 and 41 Rehabilitation;

Authorizing the expenditure of an amount not to exceed \$238,987 from Fiscal Year 2000 Sewer Fund 41506, CIP-46-106.0, Annual Allocation - Sewer Pump Station Restorations, for providing funds for the design and Sewer Pump Stations No. 21 and 41 Rehabilitation, provided the City Auditor first furnishes a certificate certifying that the funds are, or will be, on deposit in the City Treasury;

Authorizing the City Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves.

CITY MANAGER SUPPORTING INFORMATION:

Sewer Pump Station No. 21 is located on the beach, adjacent to the intersection of Neptune Place and Gravilla Street in the La Jolla community. It serves a sewer drainage basin which includes a portion of the west central La Jolla community. The pump station was originally built in 1950. Sewer Pump Station No. 41 is located at the south end of De Anza Road in De Anza area of Mission Bay Park. It serves the sewer drainage basin which includes the De Anza Cove area and a southeast portion of the Pacific Beach community.

The pump station was originally built in 1953. Sewer Pump Stations No. 21 and No. 41, have a number of deficiencies including aged and unreliable pumping equipment, the need to bring the stations into compliance with current seismic standards, the need for a secondary force main, as well as other necessities to bring these stations into compliance with current design standards. This request is for consultant services to study the existing structure for deficiencies and correct any that are identified. Currently, there is a separate project underway that will install an emergency backup generator adjacent to Sewer Pump Station No. 21. A list of five (5) consultants were provided by the City's Consultant Coordinator. Three (3) of these five (5) firms accepted the invitation and were interviewed in accordance with council policy 300-7. Dudek and Associates, Inc. was selected. Dudek and Associates, Inc.'s scope of work will include a preliminary design study, preparation of construction plans, specifications and construction cost estimates.

Aud. Cert. 2000067.

WWF-99-392.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: D074-188.)

CONSENT MOTION BY WEAR TO ADOPT. Second by Warden. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-not present, Vargas-yea, Mayor Golding-yea.

* ITEM-117: Agreement with CORRPRO Companies, Inc. for As-Needed Corrosion Services.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2000-139) ADOPTED AS RESOLUTION R-292034

Authorizing the execution of an agreement with CORRPRO Companies, Inc., to provide engineering services required for conducting corrosion studies on Water Department, CIP Projects on an as-needed basis;

Authorizing the expenditure of an amount not to exceed \$1,525,000 from Water Revenue Fund 41500;

Authorizing the City Auditor and Comptroller, upon advice from the administering department, to transfer excess funds, if any, to the appropriate reserves.

CITY MANAGER SUPPORTING INFORMATION:

The Corrosion Section of the Water Department is dedicated to developing, operating and maintaining systems that protect our facilities against the harmful affects of corrosion. If unchecked, corrosion to the City's underground pipelines, reservoirs, and treatment plants can result in premature costs of millions of dollars to replace these facilities. The Water Department needs to utilize the services of a qualified corrosion engineering consultant to augment the limited staffing and resources of the existing corrosion section. In December 1998, the Water Department conducted a Value Engineering (VE) study to review the way the department was operating. One of the VE recommendations was to establish an enhanced professional corrosion control section with the authority and responsibility for all aspects of corrosion control including planning, design, construction, operation, maintenance and monitoring of Water Department facilities.

The VE study also recommended that the Corrosion Section develop and implement a comprehensive set of corrosion control standards and specifications. Due to its present size, the existing Corrosion Section is focused primarily on the operation and maintenance of existing corrosion control systems and with documenting main breaks on 16-inch and larger diameter pipelines. The Water Department needs the services of a corrosion engineering consultant in order to develop a comprehensive corrosion control program. Major tasks for the corrosion consultant include: condition assessment of the Otay 2nd Pipeline, risk assessment and corrosion survey of existing pipelines, design of cathodic protection systems, corrosion control measures at water treatment plants, and development of standard specifications for corrosion protection. These services will help the Water Department prioritize preventative maintenance measures. Corrosion control will extend the life of our water facilities and defer the need for future capital improvements. This is also a key component in meeting the Department of Health Services Compliance Order mandate of having an alignment and phasing program for the Otay 2nd Pipeline.

Aud. Cert. 2000087.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: D074-188.)

CONSENT MOTION BY WEAR TO ADOPT. Second by Warden. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-not present, Vargas-yea, Mayor Golding-yea.

* ITEM-118: As-Needed Value Engineering Services Agreement.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2000-89) ADOPTED AS RESOLUTION R-292035

Authorizing the execution of an agreement with Robinson, Stafford and Rude (RSR), Inc., for as-needed value engineering services for the Metropolitan Wastewater Department;

Authorizing the expenditure of an amount not to exceed \$500,000 from Fund 41509.

CITY MANAGER SUPPORTING INFORMATION:

The Metropolitan Wastewater Department (MWWD) performs Value Engineering (VE) on its projects. To date, projects studied include pipelines, water reclamation plants, wastewater treatment plants, and sludge processing facilities. The purpose of the VE is to evaluate the design and related cost estimates submitted to the City by the design consultants, to ensure that performance, reliability, quality and safety are provided at the lowest possible life cycle cost. Since January 1991, MWWD has conducted over 29 VE workshops at a total cost of \$2.5 million, resulting in savings of over \$294 million. MWWD's current VE contract expired in April, 1999. Therefore, a Request for Proposals for As-Needed VE Services was advertised. Four firms submitted proposals and were interviewed. The Selection Panel included representatives from MWWD's Engineering & Program Management Division, the City's Equal Opportunity Contracting Program, the Metro Participating Agencies, and the community at large.

The Selection Panel recommended RSR, Inc. as the most qualified firm. The scope of the consultant's work is to assess Capital Projects for improved or cost-saving ideas that can be incorporated at time of design. RSR, Inc. has extensive experience in evaluating designs to reduce operating costs at wastewater treatment facilities. In addition, their proposed method to accomplish the work is very "team oriented". They have included representatives from

operations and maintenance as well as engineering and construction. In keeping with the City's policy to voluntarily provide subcontracting opportunities to all interested qualified firms, including minorities and women, RSR, Inc. has retained subconsultants as members of their engineering consultant team. A list of these consultants is attached. Due to the nature of as needed projects, the percentage utilization of MBE/WBE/DBE/DVBE subconsultants is dependent upon the tasks authorized by MWWD and the type of work required by those tasks.

Aud. Cert. 2000085.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: D074-188.)

CONSENT MOTION BY WEAR TO ADOPT. Second by Warden. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-not present, Vargas-yea, Mayor Golding-yea.

* ITEM-119: South Bay Ocean Outfall.

(Tijuana River Valley Community Area. District-8.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-99-1395) ADOPTED AS RESOLUTION R-292036

Authorizing the City Manager to execute an amendment to the agreement of December 4, 1995, with the California State Coastal Conservancy, for real property rights in the South Bay Ocean Outfall;

Authorizing the expenditure of an amount not to exceed \$145,611 from Fund No. 41509, CIP-40-910.1, South Bay Ocean Outfall, as follows: \$105,700 for the amendment; and \$39,911 for the installation of required permanent security fencing around the South Bay Ocean Outfall Effluent Distribution Structure and Energy Dissipation Valve Vault Structure.

CITY MANAGER SUPPORTING INFORMATION:

The South Bay Ocean Outfall, CIP-40-910.1, is a joint project between the Federal Government and the City of San Diego. On December 4, 1995, the City of San Diego entered into an

agreement with the California State Coastal Conservancy (CSCC), for the acquisition of both a permanent facilities easement and a temporary construction easement. One of the requirements of the agreement was to prepare a Restoration, Monitoring and Mitigation Program (Program), which was subject to the approval of the CSCC and two other entities. Written approvals have been received from all three entities for the Program.

The MWWD's as-needed environmental consultant prepared a cost estimate of what it would cost the MWWD to implement the Program (\$105,700). An option was presented to the CSCC to: (1) accept \$105,700 or (2) to implement the approved Program. On April 22, 1999, the CSCC Board voted to accept the \$105,700 and the CSCC is now proceeding to amend the existing agreement to reflect the receipt of the \$105,700 and the deletion of the requirement to implement the Program. During the design phase of the South Bay Ocean Outfall, the responsibility for certain aspects of the design were divided amongst two firms. The Outfall designer was responsible for the Outfall and associated facilities and the Treatment Plant designer was responsible for site grading, access and surface improvements, which were to be implemented after the construction of the Outfall facilities. Security/access prevention measures around the Effluent Distribution Structure and the Energy Dissipation Valve Vault Structure were required, since unauthorized access could result in inappropriate operation of the facilities, vandalism, theft and could potentially lead to death, in a worst case scenario. Therefore, a high-security fence around both of the structures was implemented by means of the issuance of a Change Order to one of the existing Federal contracts. These costs were 100 percent attributable to the Outfall, which the City of San Diego was taking the lead on. Therefore, the City of San Diego is required to pay for 100 percent of the costs (\$39,911) to implement the fencing. However, 60.06 percent of this cost (\$23,970.55) will be reimbursed by the Federal grant, since the Federal Government is paying 60.06 percent of the total cost of the Outfall.

Aud. Cert. 9901250.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: D074-188.)

CONSENT MOTION BY WEAR TO ADOPT. Second by Warden. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-not present, Vargas-yea, Mayor Golding-yea.

* ITEM-120: Agreement with ASL Consulting Engineers for Sewer Pump Stations 18 and 19.

(La Jolla and Pacific Beach Community Areas. Districts-1 and 2.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2000-129) ADOPTED AS RESOLUTION R-292037

Authorizing the City Manager to execute an agreement with ASL Consulting engineers to perform consultant services for the Sewer Pump Stations 18 and 19 Rehabilitation/Replacement Project;

Authorizing the expenditure of an amount not to exceed \$100,800 from Sewer Fund 41506, CIP-46-106.0, Sewer Pump Stations 18 and 19 Rehabilitation/Replacement Project for providing funds for the agreement, provided that the City Auditor and Comptroller first furnishes a certificate certifying the funds are, or will be, on deposit with the City Treasurer;

Authorizing the City Auditor and Comptroller to transfer excess budgeted funds, if any, to the appropriate reserves on advice of the administering department.

CITY MANAGER SUPPORTING INFORMATION:

This agreement will provide a predesign study for Sewer Pump Stations 18 and 19. Sewer Pump Station 18 is located at 597 Loring Street in the Pacific Beach Community Area and Sewer Pump Station 19 is located at 201 Birdrock Street in the La Jolla Community Area. Both stations were built in 1950. A preliminary Force Main and Audit report prepared by the City's Wastewater Collection Division show that both stations are in need of rehabilitation or replacement to meet current City standards.

The scope of work includes structural, geotechnical and electrical examination of the pump stations, site investigation and preparation of a predesign report. The predesign study shall include recommendations for rehabilitation and/or replacement of the pump stations as well as cost estimates. A list of five (5) consultants was provided by the City's Consultant Coordinator. Boyle Engineering Corporation declined our invitation for an interview due to their present full work load. The remaining firms were interviewed in conformance with Council Policy 300-7, and the firm of ASL Consulting Engineers was selected as the best qualified firm to provide the preliminary design consultant services. It is anticipated that ASL Consulting Engineers will be awarded more than \$250,000 in consultant contracts during this fiscal year.

Aud. Cert. 2000068.

WWF-99-398.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: D074-188.)

CONSENT MOTION BY WEAR TO ADOPT. Second by Warden. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-nay, Warden-yea, Stallings-yea, McCarty-not present, Vargas-yea, Mayor Golding-yea.

* ITEM-121: There is no Item 121 on today's docket.

* ITEM-122: Declaring a Continued State of Emergency Regarding the Discharge of Raw Sewage from Tijuana, Mexico.

(District-8.)

TODAY'S ACTION IS:

Adoption of the following resolution:

(R-2000-92) ADOPTED AS RESOLUTION R-292038

Declaring a Continued State of Emergency regarding the discharge of raw sewage from Tijuana, Mexico.

FILE LOCATION: GEN'L-State of Emergency regarding the discharge of raw sewage from Tijuana, Mexico

COUNCIL ACTION: (Tape location: D074-188.)

CONSENT MOTION BY WEAR TO ADOPT. Second by Warden. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-not present, Vargas-yea, Mayor Golding-yea.

* ITEM-123: Carmel Valley Neighborhood 10 Cost Reimbursement District.

(Carmel Valley Community Area. District-1)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2000-81) ADOPTED AS RESOLUTION R-292039

Authorizing the initiation of Cost Reimbursement District proceedings for improvements being constructed by Pardee Construction Company.

Authorizing the City Manager to execute a formation Cost Agreement with Pardee Construction Company.

Authorizing the City Auditor and Comptroller to establish interest bearing funds for formation (Fund 72022) and monitoring (Fund 7020221) of the Carmel Valley Neighborhood 10 Cost Reimbursement District.

Authorizing the City Manager to execute a consultant agreement with Berryman and Henigar, Inc., in the amount of \$71,800, to provide cost reimbursement engineering services.

Accepting a cash advance in the amount of \$91,800 from Pardee Construction Company and authorizing the appropriation and expenditure of funds to pay for consultant services in the amount of \$71,800 and for City administrative costs of \$20,000.

CITY MANAGER SUPPORTING INFORMATION:

In 1992, the City Council adopted the Cost Reimbursement District Procedural Ordinance (O-17725). This ordinance provides developers who are required to construct certain public improvements above and beyond what is normally required to support their development, a mechanism to seek reimbursement from other benefitting property owners.

Pardee Construction Company submitted an application requesting that the City initiate proceedings for the formation of Carmel Valley Neighborhood 10 Cost Reimbursement District (CRD). The public improvements for which the developer is seeking reimbursement include surface improvements and underground utility construction for portions of Carmel Country Road, Carmel Mountain Road, and Street A. A community plan amendment for Neighborhood 10, which is in process, is proposing the deletion of Street A as a circulation element roadway. If approved, this would eliminate Street A from the Cost Reimbursement District.

Upon initiation of the CRD, Berryman & Henigar (engineering consultant) will evaluate the improvements to determine their eligibility for reimbursement. City staff and the engineering

consultant will also meet with property owners potentially affected by the proposed establishment of the CRD. The purpose will be to: provide information regarding the developer's application for the CRD; describe the improvements proposed for inclusion in the CRD; explain the methods used by the engineer for spreading costs; and describe the process for creating the proposed CRD. A public hearing will follow and all affected property owners will be noticed prior to the hearing.

If the CRD is established at the public hearing, a lien will be recorded against the land of the affected property owners, based upon benefit, in order to pay the costs of these improvements. All liens would be payable upon recordation of a final map or issuance of a building permit. In general, payment shall not be required for building permits having a total improvement value of \$20,000 or less. Permits for modifications or additions to existing single family homes are not subject to liens.

FILE LOCATION: STRT-CR-27 (50)

COUNCIL ACTION: (Tape location: D074-188.)

CONSENT MOTION BY WEAR TO ADOPT. Second by Warden. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-not present, Vargas-yea, Mayor Golding-yea.

* ITEM-124: California Arts Council Challenge Grant/Cultural Tourism Initiative

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2000-95) ADOPTED AS RESOLUTION R-292040

Authorizing and directing the City Manager to accept the California Arts Council (CAC) challenge grant in the amount of \$25,000 and to implement a special culture tourism initiative for FY 2000;

Authorizing the City Auditor and Comptroller to expend the CAC grant in the amount of \$25,000;

Authorizing the City Auditor and Comptroller to expend an amount not to exceed \$75,000 from the Arts and Culture Programs Budget for the purposes of meeting the CAC's three-to-one matching fund requirement.

CITY MANAGER SUPPORTING INFORMATION:

The mission of the City of San Diego Commission for Arts and Culture (Commission) is to vitalize the community by integrating arts and culture into community life, supporting the region's cultural assets, and showcasing San Diego as an international cultural destination. To further its mission the California Arts Council (CAC) has offered The City of San Diego a challenge grant in the amount \$25,000 to enhance and expand the City's Arts and Culture Commission's Technical Assistance Program (TAP) which is part of a special cultural tourism initiative. Since 1988, the Commission has worked to nurture the image of San Diego as a cultural destination by developing mutually beneficial partnerships between the arts, culture and travel industries. The TAP cultural tourism initiative will target community-based arts and culture groups and festival organizers in need of technical assistance in cultural tourism marketing.

The CAC grant will fund a focused technical assistance program and resource materials to aid the neighborhood and ethnic based organizations to strengthen their programs and services, including the following activities:

Workshops - Offsite group training in the fundamentals of cultural tourism marketing;

Scholarship Subsidies - Fee assistance for conferences and workshops;

The "Callaloo" - Annual convocation focusing on issues important to the arts and culture industry. The 2000 conference then will explore how cultural tourism is affected by folk and heritage assets; and, Publications and Web Page - Guidebooks, directories and Internet access.

Acceptance of the CAC challenge grant requires the City to provide a three to one match in funding, and the \$75,000 in matching funds is available for FY 2000 from the Arts and Culture Programs Budget. To further its mission the Commission requests that the Council of the City of San Diego, authorize the City Manager to accept the CAC challenge grant in the amount of \$25,000 for the purposes described above and to implement a special cultural tourism initiative for FY 2000. An amount not to exceed \$75,000 will match the Arts and Culture Programs Budget for purposes of meeting the CAC's three to one matching fund requirement, to be expended for the purposes described above.

Aud Cert. 2000048.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: D074-188.)

CONSENT MOTION BY WEAR TO ADOPT. Second by Warden. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-not present, Vargas-yea, Mayor Golding-yea.

ITEM-150: Extension of City and Brown Field Aviation Park, LLC (BFAP) Restated and Amended Memorandum of Understanding.

(Otay Mesa Community Area. District-8.)

TODAY'S ACTION IS:

Adopt the following resolution:

(R-2000-116) ADOPTED AS RESOLUTION R-292041

Declaring that the Exclusive Negotiating Period, as defined in the RAMOU, for the Development of Brown Field is extended to December 7, 1999 and all other terms and conditions of the RAMOU remain unchanged.

LAND USE & HOUSING COMMITTEE'S RECOMMENDATION:

On 7/21/99, LU&H voted 4-0 to forward the Comprehensive Land Use Plan to the San Diego Association of Governments for review and distribution, and recommend to the full City Council extension of the exclusive negotiating period with Brown Field Aviation Park, LLC (BFAP) until December 7, 1999. (Councilmembers Mathis, Wear, Stevens, and Vargas voted yea. Councilmember McCarty not present.)

CITY MANAGER SUPPORTING INFORMATION:

The City of San Diego (City) and Brown Field Aviation Park, LLC (BFAP) entered into a Restated and Amended Memorandum of Understanding (RAMOU) dated as of February 16, 1999 with the Exclusive Negotiating Period scheduled to terminate on August 16, 1999. BFAP has paid the City \$400,000 to date in consideration of exclusive negotiating rights in conjunction with this project. At the time of the approval of the RAMOU, there were concerns about potential environmental issues associated with development of the property.

After months of negotiations with the Army Corps of Engineers, U. S. Fish and Wildlife Service, Federal Aviation Administration, the City of San Diego, environmental consultants, and a coalition of the local environmental community, BFAP has recently developed a solution which appears mutually acceptable to all interested parties concerning those environmental issues. However, it will not be possible to complete all contract negotiations required by the RAMOU before the current Exclusive Negotiating Period ends on August 16, 1999. The City Manager anticipates bringing the required documents to City Council for approval in October 1999 including but not limited to the Airport Master Plan, the Comprehensive Land Use Plan,

and the Environmental Impact Report/Environmental Assessment. Therefore, it is requested that the Exclusive Negotiating Period be extended to December 7, 1999 to ensure completion of definitive documents.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: D074-188.)

CONSENT MOTION BY WEAR TO ADOPT. Second by Warden. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-not present, Vargas-yea, Mayor Golding-yea.

ITEM-200: Tax Rate Ordinance for Fiscal Year 2000.

CITY MANAGER'S RECOMMENDATION:

Introduce and adopt the following ordinance:

(O-2000-8) INTRODUCED AND ADOPTED AS ORDINANCE O-18671
(New Series)

Introduction and adoption of an ordinance fixing the tax rates and levying taxes for the Fiscal Year 1999-2000.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: D074-188.)

CONSENT MOTION BY WEAR TO INTRODUCE, DISPENSE WITH THE READING AND ADOPT THE ORDINANCE. Second by Warden. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-not present, Vargas-yea, Mayor Golding-yea.

ITEM-201: Awarding a Contract to Logans Marketing and Diamond Concrete Supply for Ready-Mix Concrete.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2000-6) ADOPTED AS RESOLUTION R-292042

Awarding a contract to Logans Marketing (San Diego, CA) for Schedule I, at an estimated cost of \$697,411.88, including tax and terms, with price escalations not to exceed 7 percent of prices in effect at the end of each prior contract year; and Diamond Concrete Supply (San Diego, CA), for Schedule II, at an estimated cost of \$405,278.73, including tax and terms, with price escalations not to exceed 10 percent of prices in effect at the end of each prior contract year, for the purchase of Ready-Mix Concrete, as may be required for a period of one year beginning July 1, 1999 through June 30, 2000, with options to renew the contract for four additional one year periods, for a total estimated cost of \$1,102,690.61, including tax and terms;

Declaring that in the event the contractor fails to perform in accordance with specifications the Purchasing Agent will be authorized to terminate the contract and award to the next lowest bidder;

Authorizing the expenditure of not to exceed \$1,102,690.61 from Fund No. 50010, Dept. No. 810, Org. No. 5099, Object Account No. 3231, and Job Order No. 009001;

Authorizing the Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves. (BID-Q2335/00)

CITY MANAGER SUPPORTING INFORMATION:

Ready-Mix Concrete is used City-wide primarily by the Transportation Department, Street Division, and the Water Department, for City street repairs and for small construction repair projects performed by City Forces. Four potential bidders were contacted, three bidders responded. Hanson Aggregates is the current provider for Schedule I. The proposed bid prices of Logans Marketing are approximately 10 percent above the previous contract price. Diamond Concrete is the current provider for Schedule II. The proposed bid prices of Diamond Concrete are approximately 10 percent above the previous contract price.

FILE LOCATION: PURCHASE

COUNCIL ACTION: (Tape location: D074-188.)

CONSENT MOTION BY WEAR TO ADOPT. Second by Warden. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-not present, Vargas-yea, Mayor Golding-yea.

ITEM-202: Inviting Bids for the Construction of Point Loma Reservoir Rehabilitation.

(Peninsula Community Area. District-2.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2000-41) ADOPTED AS RESOLUTION R-292043

Inviting bids for the Construction of Point Loma Reservoir Rehabilitation Project on Work Order No. 182551;

Authorizing a contract with the lowest responsible bidder, provided that the City Auditor first furnishes a certificate demonstrating that funds necessary for expenditure are, or will be, on deposit in the City Treasury;

Authorizing the expenditure of an amount not to exceed \$3,835,872 from Water Fund 41500, CIP-73-277.00AA - Standpipes and Reservoir Restorations, Sub CIP-73-309.2, Point Loma Reservoir Rehabilitation to provide funds for the project, related costs, and project contingencies, provided that the City Auditor first furnishes a certificate demonstrating that funds necessary for expenditure are, or will be, on deposit in the City Treasury;

Authorizing Amendment No. 1 to the Agreement with Daniel Boyle Engineering, Inc., for the Point Loma Reservoir Rehabilitation, for additional engineering services for an amount not to exceed \$24,163;

Authorizing the Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves. (BID-K99267C)

CITY MANAGER SUPPORTING INFORMATION:

Originally built in 1942, the Point Loma Reservoir has served the Peninsula Community for 57 years. The reservoir is a 21 foot deep gunite lined structure with the capacity of 10.9 million gallons. The earth embankment structure is located adjacent to Catalina Boulevard. The project

includes removal and replacement of the reservoir's wood roof structure which has deteriorated beyond repair. Also, included in the project is the installation of a lining system, replacement of the operational water level controls, construction of new seismic shearwalls, various site improvements including landscaping, and a seismic valve system which will insure the protection and storage of water in the event of a major earthquake. Completion of the design phase of this project resulted in various scope changes requiring additional design services. The Water Department has worked with the Peninsula Planning Group to develop a landscaping plan that helps the facility blend in with the neighborhood. Additional changes include the elimination of the power ventilation system, the Department of Health Services review of wood treatment products, and a geotechnical review of the foundation design. This authorization includes funding to account for these additional expenditures. Project benefits include reservoir seismic upgrades to current standards, a newly installed water tight lining system, and operationally controlled remotely through SCADA. This project is mandated by the Department of Health Services' Compliance Order 04-14-96-022, Item No. 10, to begin construction by September 27, 1999.

Aud. Cert. 2000079.

FILE LOCATION: CONT - Nielsen Dillingham Builders; W.O. 182551

COUNCIL ACTION: (Tape location: D074-188.)

CONSENT MOTION BY WEAR TO ADOPT. Second by Warden. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-not present, Vargas-yea, Mayor Golding-yea.

ITEM-203: Agreement with ASL Consulting Engineers for Miramar Road Pipeline.

(Mira Mesa and University Community Areas. District-5.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2000-128) ADOPTED AS RESOLUTION R-292044

Authorizing the City Manager to execute an agreement with ASL Consulting Engineers to provide design and construction support services, for the Miramar Road Pipeline Project;

Amending the Fiscal Year 2000 Capital Improvement Program Budget by adding CIP-70-945.0, Miramar Road Pipeline;

Authorizing the City Auditor and Comptroller to transfer an amount not to exceed \$1,400,000 from Fund 41500, CIP-73-331.0, Annual Allocation Water Pooled Contingency to Fund 41500, CIP-70-945.0, Miramar Road Pipeline;

Authorizing an expenditure of an amount not to exceed \$1,400,000 from Water Revenue Fund 41500, Miramar Road Pipeline, CIP-70-945.0, for providing funds for the project.

CITY MANAGER SUPPORTING INFORMATION:

In December of 1997, the Water Department Capital Improvement Program (CIP) completed a water study titled the 610/712 Miramar-North City Water Study. The purpose of this study was to identify critical infrastructure improvements necessary to meet the delivery needs within the City's northern water transmission system. Implementation of these identified improvements is intended to satisfy growing water demands in the area and respond to the importance of supplementing the existing transmission system to assure reliable water service.

A key system improvement identified in the water study was the construction of a major pipeline along Miramar Road that would provide additional conveyance capacity within the Miramar service zone. This pipeline project has been given a high priority due to the fact that there are few major transmission mains in the northern area, which creates system operations and maintenance problems. Construction of this pipeline will afford added flexibility in performing maintenance activities and allow scheduling of programmed system improvements with minimal service impacts. Consistent with the committed goal to retain the most qualified consultants possessing the requisite proficiency and experience to provide project specific professional services, the City's procurement process was used. A Request for Qualifications was issued, proposals were received, six firms were short-listed and interviewed by a panel composed of staff representing the City's Water Department and EOCP, the Helix Water District and the California Department of Transportation (CalTrans). This procurement process resulted in the selection of ASL Consultants as the most qualified firm to provide the required professional services. ASL is very familiar with the City's water system and has extensive experience providing design and construction support for major pipeline projects.

Aud. Cert. 2000081.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: D074-188.)

CONSENT MOTION BY WEAR TO ADOPT. Second by Warden. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-not present, Vargas-yea, Mayor Golding-yea.

ITEM-204: Initiation of the Torrey Santa Fe Development Agreement.

(Torrey Highlands - North City Future Urbanizing Area (NCFUA) Subarea IV Community Area. District-1.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2000-120) ADOPTED AS RESOLUTION R-292045

Declaring that an initial determination is made that a development agreement for the proposed project is warranted and staff is directed to accept the application for a development agreement on the Torrey Santa Fe project and to negotiate a development agreement consistent with Council Policy 600-37.

CITY MANAGER SUPPORTING INFORMATION:

Torrey Highlands is one of five subareas in the City of San Diego's NCFUA, and is designated as Subarea IV. Subarea IV is comprised of 1,134 acres located in the eastern portion of the 12,000-acre NCFUA. The Torrey Highlands Subarea Plan designates the site for Joint Operations Center, Employment Center, and Open Space land uses. An amendment to the Torrey Highlands Subarea Plan is proposed to change the property's Joint Operations Center designation to Low and Low Medium Density Residential. The Employment Center and Open Space land use designations would remain on the property, but would be reconfigured in size and shape. An amendment to the Torrey Highlands Subarea Plan also would require amendments to the NCFUA Framework Plan and the City's Progress Guide and General Plan to change the land use designations as applied to the site. The Torrey Santa Fe project proposes 245 single-family lots, 76 affordable, multi-family housing units, passive parks, greenbelts and trails, a corporate/employment center, and open space on an approximately 117.76-acre property in the Torrey Highlands Subarea of the City of San Diego.

Specific discretionary actions proposed for the project include Amendments to the Torrey Highlands Subarea Plan, NCFUA Framework Plan, and Progress Guide and General Plan, a Planned Residential Development (PRD) Permit for the single-family residential area and the

affordable housing site, a Planned Industrial Development (PID) Permit for the corporate/employment center, Rezone, Tentative Map (TM), and Resource Protection Ordinance (RPO) Permit. Various State and Federal permits also would be required. If initiated, the proposed Development Agreement will be processed concurrently with all other actions associated with the project. The proposed five year Development Agreement has the opportunity to provide extraordinary benefits to the City in the following areas:

A contribution from Western Pacific Housing to the City in the amount of \$500,000 to be used to close the shortfall funding gap for the construction of State Route 56 in Subarea IV of the North City Future Urbanizing Area.

The advancement of \$500,000 by Western Pacific Housing to the City to also be used to close the shortfall funding gap for the construction of State Route 56 in Subarea IV.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: D074-188.)

CONSENT MOTION BY WEAR TO ADOPT. Second by Warden. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-not present, Vargas-yea, Mayor Golding-yea.

ITEM-205: Amendment No. 2 to South Bay Reclamation Sewer and Pump Station.

(Tijuana River Valley Community Area. District-8.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2000-88) ADOPTED AS RESOLUTION R-292046

Authorizing the City Manager to execute a second amendment to the agreement of June 12, 1995, with Berryman & Henigar, Inc., formerly Berryman Sullivan, Inc., for design services in connection with the South Bay Reclamation Sewer and Pump Station;

Authorizing the expenditure of an amount not to exceed \$500,000 from Fund 41509, CIP-40-911.3, South Bay Reclamation Sewer and Pump Station, to provide funds for Amendment No. 2.

CITY MANAGER SUPPORTING INFORMATION:

Council Resolution R-285940 adopted on June 12, 1995, authorized the City Manager to execute a contract with Berryman & Henigar for design services and services during construction. Amendment No. 1 adopted on February 18, 1997, Council Resolution R-288348, was required due to the need to provide state-of-the-art enhanced odor control system design, revisions of Civil, Mechanical, Structural, Instrumentation and Controls, Phase I Environmental Site assessment (EAS) for the corridor along the force mains, and design and implementation of public art. Council Resolution R-291714 adopted on June 1, 1999, authorized the City Manager to award the contract to the lowest responsible bidder, PCL Civil Constructors, Inc.

Amendment No. 2 is required due to modifications of the scope of services during construction and revisions to the pump station final plans and specifications to receive additional flow from the Otay River Pump Station. The request for additional construction services is due to the need to work with two contractors since the project has been divided into two contracts. The major fee revisions occur in the area of progress meetings, submittal review, request for information (RFI), and start up operation. The request for revisions to the plans and specifications required to receive the additional flow from Otay River Pump Station is due to the demand for more reclaimed water in the South Bay area. The South Bay Water Reclamation Plant (SBWRP) is being expanded to receive the additional flow. The additional reclaimed water capacity will allow us to meet the requirements of the Ocean Pollution Reduction Act legislation.

Aud. Cert. 2000088.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: D074-188.)

CONSENT MOTION BY WEAR TO ADOPT. Second by Warden. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-not present, Vargas-yea, Mayor Golding-yea.

ITEM-206: FY 2000 Funding for Asphalt Resurfacing, Rubber Emulsion Aggregate Slurry Coating, Concrete Reconstruction and Related Maintenance Contracts for Various Streets City Wide.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2000-117) ADOPTED AS RESOLUTION R-292047

Authorizing the expenditure of \$19,480,575 from the following funds for the purpose of funding multiple contracts listed below, to be awarded throughout the year, provided that the City Auditor first furnishes a certificate demonstrating that the funds necessary for expenditure are, or will be on deposit with the City Treasury:

\$5,096,575 from Street Division Operating Fund 10440
\$1,000,000 from Fund 30300
\$13,000,000 from TransNet Commercial Paper Fund 30306 from CIP-59-001.0, Annual Allocation Resurfacing City Street
\$150,000 from Water Utility Operating Fund 41500
\$234,000 from Sewer Revenue Fund 41506

Street Maintenance Contract Scheduling Projection FY 2000:

<u>Contract Type & Contract Name</u>	<u>Start and End Dates</u>	<u>Estimated Cost of Contract</u>
Slurry Seal, Group S-3	Sept. 1999-Dec. 1999	\$1.6 million
Resurfacing, Group R-2	Sept. 1999-Jan. 2000	\$4.3 million
Slurry Seal, Group S-4	Mar. 2000-June 2000	\$1.6 million
Resurfacing, Group R-3	Mar. 2000-July 2000	\$4.7 million
Slurry Seal, Group S-5	May 2000-Oct. 2000	\$2.1 million
Resurfacing, Group R-4 (includes STP funding)	May 2000-Nov. 2000	\$6.2 million

Authorizing the City Manager to approve plans and specifications, and to execute a contract with the lowest responsible/responsive bidder, or if mutually favorable terms and conditions exist, enter into an option contract agreements with existing contractors;

Authorizing the City Manager to request funding up to \$13 million from SANDAG through their commercial paper program to fund street maintenance contracts and to return to Council for final approval of any agreement reached.

CITY MANAGER SUPPORTING INFORMATION:

This action authorizes the City to advertize for bids, or enter into an option agreement with the existing private contractors to expend the FY 2000 funding, as-needed, for the Rubberized Emulsion Aggregate Slurry Coating, Asphalt Resurfacing, Concrete Street Reconstruction, and related maintenance contracts. These contracts are for various street locations city wide.

Locations will be determined throughout the year as each contract is bid. Council offices and community groups are encouraged to recommend streets for inclusion in these contracts. A listing of streets included in each contract will be provided to the Mayor and Council Members as each contract is bid. This action implements the Roadway Enhancement Program adopted in the budget. It will provide for approximately 112 miles of resurfacing, 302 miles of slurry sealing, and reconstruction of 5 blocks of concrete street. Approval for an additional 38 miles of resurfacing will be requested when State Transportation Program funds are reimbursed to the city following completion of the eligible resurfacing work. Locations for resurfacing and slurry sealing are evaluated based on requests and evaluated through use of the City's Pavement Management System. Proposed locations are then screened to avoid conflicts with planned under-ground utility work.

FILE LOCATION: CONT- Nicholas Grant Corporation - FY2000 Funding for Asphalt Resurfacing, Rubber Emulsion Aggregate Slurry Coating, Concrete Reconstruction and Related Maintenance Contracts for Various Streets City Wide

COUNCIL ACTION: (Tape location: D074-188.)

CONSENT MOTION BY WEAR TO ADOPT. Second by Warden. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-not present, Vargas-yea, Mayor Golding-yea.

ITEM-207: "6 To 6" Extended School Day Program Agreement Authorization.

(See City Manager Report CMR-99-151.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2000-133 Cor. Copy) ADOPTED AS RESOLUTION R-292048

Authorizing the City Manager to expend up to \$2,560,000 of General Funds on the "6 To 6" Extended School Day Program;

Authorizing the City Manager to expend up to \$2,800,000 in the After School Learning and Safe Neighborhoods Partnership Grant;

Authorizing the City Manager to negotiate and execute a Memorandum of Understanding (MOU) with the San Diego Unified School District;

Approving the Annual Report 1998/1999 for the "6 To 6" Extended School Day Program.

Aud. Cert. 2000090.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: D074-188.)

CONSENT MOTION BY WEAR TO ADOPT. Second by Warden. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-not present, Vargas-yea, Mayor Golding-yea.

ITEM-208: Amending the SPSP, SPSP-M, SPSP-H, and 401(K) Plans.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2000-87) ADOPTED AS RESOLUTION R-292049

Amending the SPSP, SPSP-M, SPSP-H, and 401(K) Plans, subject to a vote of approval by the Plan Participants as required and effective upon that date and effective upon the date of adoption of this resolution by the City Council for the changes not requiring a vote of approval by the Plan Participants.

CITY MANAGER SUPPORTING INFORMATION:

The SPSP, SPSP-M, SPSP-H, and 401(K) Plans were amended by R-285505 on 3/20/95 to allow for third party administration and investment services and established Co-Trustees to manage the Trust Fund. The SPSP and SPSP-M amendments were made subject to approval by the SPSP and SPSP-M Plan Participants. R-287054 amended the SPSP, SPSP-M, SPSP-H, and 401(K) Plans, on 3/18/96, to add two additional Co-Trustees which are elected by the SPSP Plans and 401 (K) Plan participants and to add a loan program to the SPSP, SPSP-M and 401(K) Plans with the provisions to be added once established. The SPSP and SPSP-M Plan amendments were subject to approval by SPSP and SPSP-M Plan Participants, who approved said 1995 and 1996 changes through a vote conducted in July 1996.

With the establishment of the Co-Trustees known as the Defined Contribution Plans (DCP) Trustee Board, the implementation of the third party administrator/investor, and discussions during the meet and confer process, several plan document revisions have been identified to: 1) establish procedures not previously determined; 2) change procedures to enhance the plans provisions or administration; 3) reflect current practice or 4) comply with changes to the regulations. These changes are as follows:

1. Reflect details of the established loan procedures adopted by the DCP Trustee Board for the SPSP, SPSP-M and 401(K) Plans which includes the restriction from annual in-service withdrawals when the loan has been defaulted;
2. Increase the limit that may be automatically paid out upon a distributable event, at the Plan Administrator's discretion, from \$3,500 to \$5,000 based on a change made by the Taxpayer Relief Act (TRA '97) for all four of the Plans;
3. Revise the term "hardship withdrawal" for the SPSP, SPSP-M and 401(K) Plans as defined by IRC Section 401(K) and the corresponding Treasury Regulations which currently include costs directly related to the purchase of a Participant's primary residence or payments of tuition and other related education expenses for the next 12 months of post-secondary education for the Participant, the Participant's spouse, children or dependents;
4. Eliminate the exclusion of part-time or 3/4 time employees from the 401(K) Plan pursuant to the IRC regulations and eliminate the one year waiting period to participate in the 401(K) Plan due to changes to non-discrimination testing provisions;
5. Reflect the current practice for the SPSP, SPSP-M, and 401(K) Plans of allowing employees who have been on Long Term Disability for 12 months and are deemed permanently and totally disabled to receive a total distribution, upon the Participant's request, prior to termination;
6. Eliminate the imposed safeharbor maximum limits in the 401(K) Plan to allow participants to increase 401(K) contributions up to the limit allowed under IRC 415c;
7. Revise the definition of "Compensation" for the 401(K) Plan to include any salary deferrals pursuant to a change allowed under the Pension Simplification Act;
8. Reflect the changes that were approved regarding Co-Trustees and Distribution of Benefits pursuant to R-287054;
9. Reflect the current practice allowing participants of SPSP-M hired between April 1, 1986 and July 1, 1986 to contribute 4.5 percent voluntary contribution as agreed to upon implementation of the Plan.
10. These changes have been discussed with the Defined Contribution Plans Trustee Board and labor organizations. The SPSP and SPSP-M Plan Documents specify that before these Plans can be amended for changes not required by State or Federal law, a vote of those Plan's Participants must be conducted. A majority of the SPSP and SPSP-M Plan Participants must approve the proposed changes. This vote will be conducted after approval of City Council has been received.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: D074-188.)

CONSENT MOTION BY WEAR TO ADOPT. Second by Warden. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-not present, Vargas-yea, Mayor Golding-yea.

ITEM-209: In the matter of authorizing the City Manager to negotiate with Lessee, Marc Lindshield, President, San Pasqual Christmas Tree Farm and Sunrise Citrus, regarding Real Property located in San Pasqual Valley.

Prior to Council discussion in Closed Session and in compliance with the Brown Act, (California Government Code Section 54956.8) this issue is listed on the docket for public testimony.

TODAY'S ACTION IS: HEARING HELD; REFERRED TO CLOSED SESSION ON TUESDAY, AUGUST 3, 1999

1) Open the Public Hearing and accept testimony from any members of the public wishing to address the Council on this subject; 2) Conclude and close the public hearing; and 3) Refer the matter to Closed Session on August, 3, 1999.

NOTE: Members of the public wishing to address the Council on this item should speak "in favor" or "in opposition" to the subject.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: D074-188.)

CONSENT MOTION BY WEAR TO REFER THIS ITEM TO CLOSED SESSION ON AUGUST 3, 1999. Second by Warden. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-not present, Vargas-yea, Mayor Golding-yea.

* ITEM-S400: San Diego Automotive Museum Day.

COUNCILMEMBER KEHOE'S RECOMMENDATION:

Adopt the following resolution:

(R-2000-158) ADOPTED AS RESOLUTION R-292050

Commending the San Diego Automotive Museum for ten years of providing automotive history and education to the San Diego community;

Proclaiming July 30, 1999 to be "San Diego Automotive Museum Day" in San Diego.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: D074-188.)

CONSENT MOTION BY WEAR TO ADOPT. Second by Warden. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-not present, Vargas-yea, Mayor Golding-yea.

ITEM-S401: In the matter of authorizing the City Manager to negotiate with Standard Pacific Housing Corp. for the acquisition of 26 lots, in Carmel Valley Neighborhood 8A, APN # 307-100-21.

Prior to Council discussion in Closed Session and in compliance with the Brown Act, (California Government Code Section 54956.8) this issue is listed on the docket for public testimony.

TODAY'S ACTION IS: HEARING HELD; REFERRED TO CLOSED SESSION ON TUESDAY, AUGUST 3, 1999

1) Open the Public Hearing and accept testimony from any members of the public wishing to address the Council on this subject; 2) Conclude and close the public hearing; and 3) Refer the matter to Closed Session on August 3, 1999.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: D207-405.)

MOTION BY WEAR TO REFER THIS ITEM TO CLOSED SESSION ON AUGUST 3, 1999. Second by Warden. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-not present, Vargas-yea, Mayor Golding-yea.

NON-DOCKET ITEMS:

None.

ADJOURNMENT:

The meeting was adjourned by Deputy Mayor Wear at 5:45 p.m.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: E455.)